

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MARYLAND**  
(Greenbelt Division)

In re:	:	
	:	
VIRGILIO H. ARTIGA,	:	Case No. 22-1-2472-LSS
	:	Chapter 13
Debtor.	:	
	:	

**TRUSTEE’S OBJECTION TO DEBTOR’S  
CHAPTER 13 PLAN DATED MAY 4, 2023**

---

Timothy P. Branigan, Chapter 13 trustee in the above-captioned case (“Trustee”), pursuant to section 1325 of the Bankruptcy Code and Bankruptcy Rule 3015(f) objects to confirmation of the Debtor’s Chapter 13 plan dated May 4, 2023 (the “Plan”). In support of his opposition, the Trustee respectfully represents the following:

1. The Debtor commenced this case under Chapter 7 on May 8, 2022 and converted to a Chapter 13 on April 19, 2023. The Plan proposes to pay \$30.00 monthly for 36 months for a gross funding of \$1,080.00.

2. The Debtor has failed to make the payments proposed under the Plan. At this time, one payment is due in the total amount of \$30.00. The Trustee has received \$0.00. Accordingly, the Debtor has not demonstrated that the Plan is feasible, and the Plan does not satisfy the requirement of section 1325(a)(6) of the Bankruptcy Code.

3. The Debtor has failed to provide documentation supporting income listed on Schedule I of \$4,110.73 per month for all income listed on Schedule I as requested by the Trustee at the meeting of creditors. Accordingly, the Trustee cannot determine whether the Plan is feasible. The Plan does not satisfy the requirements of section 1325(a)(6) of the Bankruptcy Code. At this

time, the Debtor has failed to fully cooperate with the Trustee as required under section 521(a)(3) of the Bankruptcy Code.

4. The Debtor has failed to provide the ID Affidavit, Domestic Support Obligation Affidavit, and bank statements as of the petition date as requested by the Trustee. At this time, the Debtor has failed to fully cooperate with the Trustee as required under section 521(a)(3) of the Bankruptcy Code.

5. The Debtor has non-exempt equity of at least \$9,669.00 in real property. The Plan does not satisfy the requirements of section 1325(a)(4) of the Bankruptcy Code.

6. The Debtor has not adequately proved ownership and the market value of scheduled real property. The Plan does not satisfy the requirements of section 1325(a)(4) of the Bankruptcy Code.

7. The Debtor has not provided and/or filed all applicable federal, state, and local tax returns as required by section 1308. Accordingly, the Debtor has not satisfied the requirements of section 1325(a)(9) of the Bankruptcy Code.

8. The Plan fails to provide that all of the Debtor's projected disposable income reflected on schedule J will be applied to make payments to the unsecured creditors under the Plan.

9. The Plan must be amended to include surrender dates in section 4.6.4 of the Plan.

10. Accordingly, the Plan should not be confirmed.

**PLEASE TAKE NOTICE THAT *THIS OBJECTION MUST BE RESOLVED AT LEAST 2 BUSINESS DAYS PRIOR TO THE CONFIRMATION HEARING.* AFTER THAT TIME, THE TRUSTEE MAY DECLINE TO ACCEPT MATERIALS THAT HE HAS REQUESTED FROM THE DEBTORS. THE TRUSTEE MAY DECLINE TO DISCUSS THE CASE AT THE CONFIRMATION HEARING. THE DEBTORS SHOULD EXPECT THAT ANY UNRESOLVED OBJECTION WILL BE HEARD BY THE COURT.**

Respectfully submitted,

June 15, 2023

/s/ Timothy P. Branigan  
Timothy P. Branigan (Fed. Bar No. 06295)  
Chapter 13 Trustee  
9891 Broken Land Parkway, #301  
Columbia, Maryland 21046  
(410) 290-9120

**Certificate of Service**

I hereby certify that the following persons are to be served electronically via the CM/ECF system:

Maurice B. VerStandig, Esquire

I caused a copy of the pleading above to be sent on June 16, 2023 by first-class U.S. mail, postage prepaid to:

Virgilio H. Artiga  
6419 Woodland Road  
Suitland, MD 20746

/s/ Timothy P. Branigan  
Timothy P. Branigan (Fed. Bar No. 06295)